

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

MICHAEL GAREY,	:	CIVIL ACTION
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
BOROUGH OF QUAKERTOWN, <i>et al</i>	:	No. 12-799
	:	
Defendant.	:	

**ORDER RE: DEFENDANTS' MOTION TO DISMISS**

AND NOW, on this 20<sup>th</sup> day of August, 2012, upon careful consideration of Defendants' Motion to Dismiss Plaintiff's Complaint (ECF No. 5) pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, and Plaintiff's Response in Opposition thereto, and for the reasons set forth in the accompanying Memorandum of Law, it is hereby ORDERED that Defendants' Motion to Dismiss is DENIED.

BY THE COURT:

/s/ Michael M. Baylson

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Michael M. Baylson, U.S.D.J.